

Senate Amendment to
House File 6

H-1245

1 Amend House File 6, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. Section 80B.11, subsection 1, paragraph
6 c, Code 2015, is amended by adding the following new
7 subparagraph:
8 NEW SUBPARAGRAPH. (4) In-service training under
9 this paragraph "c" shall include the requirement
10 that all law enforcement officers complete four hours
11 of in-service training every five years related to
12 domestic assault, sexual assault, human trafficking,
13 stalking, and harassment. Such in-service training
14 shall be approved by the academy in consultation with
15 the Iowa coalition against sexual assault and the Iowa
16 coalition against domestic violence.
17 Sec. 2. Section 614.1, subsection 12, Code 2015, is
18 amended to read as follows:
19 12. *Sexual abuse or sexual exploitation by a*
20 *counselor, therapist, or school employee.* An action
21 for damages for injury suffered as a result of sexual
22 abuse, as defined in section 709.1, by a counselor,
23 therapist, or school employee, as defined in section
24 709.15, or as a result of sexual exploitation by a
25 counselor, therapist, or school employee shall be
26 brought within five ten years of the date the victim
27 was last treated by the counselor or therapist, or
28 within five ten years of the date the victim was
29 last enrolled in or attended the school, or, if the
30 victim was a minor when the sexual abuse or sexual
31 exploitation occurred, within ten years of the date the
32 victim attains the age of eighteen.
33 Sec. 3. Section 614.8, subsection 2, Code 2015, is
34 amended to read as follows:
35 2. Except as provided in section 614.1, ~~subsection~~
36 subsections 9 and 12, the times limited for actions in
37 this chapter, or chapter 216, 669, or 670, except those
38 brought for penalties and forfeitures, are extended
39 in favor of minors, so that they shall have one year
40 from and after attainment of majority within which to
41 file a complaint pursuant to chapter 216, to make a
42 claim pursuant to chapter 669 or 670, or to otherwise
43 commence an action.
44 Sec. 4. NEW SECTION. **692.23 Human trafficking**
45 **information.**
46 The division of criminal and juvenile justice
47 planning of the department of human rights shall
48 collect and maintain criminal history data on incidents
49 related to human trafficking in this state, and
50 shall submit an annual report to the general assembly

1 concerning the collected data. For purposes of this
2 section, "*incidents related to human trafficking*"
3 means criminal violations of section 710.5, 710.11, or
4 710A.2, section 725.1, subsection 2, or section 725.2
5 or 725.3, or violations of section 710.2, 710.3, or
6 710.4 if the victim was forced to provide labor or
7 services or participate in commercial sexual activity.
8 Sec. 5. Section 702.11, subsection 1, Code 2015, is
9 amended to read as follows:

10 1. A "*forcible felony*" is any felonious child
11 endangerment, assault, murder, sexual abuse,
12 kidnapping, robbery, arson in the first degree, ~~or~~
13 burglary in the first degree, or human trafficking.

14 Sec. 6. Section 708.2A, subsection 1, Code 2015, is
15 amended to read as follows:

16 1. For the purposes of this chapter, "*domestic*
17 *abuse assault*" means an assault, as defined in section
18 708.1, which is domestic abuse as defined in section
19 236.2, subsection 2, paragraph "*a*", "*b*", "*c*", ~~or~~ "*d*", or
20 "*e*".

21 Sec. 7. Section 708.11, subsection 1, paragraph b,
22 Code 2015, is amended to read as follows:

23 *b.* "*Course of conduct*" means repeatedly
24 maintaining a visual or physical proximity to a person
25 without legitimate purpose, repeatedly utilizing a
26 technological device to locate, listen to, or watch
27 a person without legitimate purpose, or repeatedly
28 conveying oral or written threats, threats implied
29 by conduct, or a combination thereof, directed at or
30 toward a person.

31 Sec. 8. Section 708.11, subsection 2, Code 2015, is
32 amended to read as follows:

33 2. A person commits stalking when all of the
34 following occur:

35 *a.* The person purposefully engages in a course of
36 conduct directed at a specific person that would cause
37 a reasonable person to feel terrorized, frightened,
38 intimidated, or threatened or to fear that the person
39 intends to cause bodily injury to, or the death of,
40 that specific person or a member of the specific
41 person's immediate family.

42 *b.* The person has knowledge or should have
43 knowledge that ~~the specific person will be placed in~~
44 reasonable fear of a reasonable person would feel
45 terrorized, frightened, intimidated, or threatened or
46 fear that the person intends to cause bodily injury to,
47 or the death of, that specific person or a member of
48 the specific person's immediate family by the course
49 of conduct.

50 ~~*c.* The person's course of conduct induces fear in~~

1 ~~the specific person of bodily injury to, or the death~~
2 ~~of, the specific person or a member of the specific~~
3 ~~person's immediate family.~~

4 Sec. 9. NEW SECTION. 708.11A Unauthorized
5 placement of global positioning device.

6 1. A person commits unauthorized placement of
7 a global positioning device, when, with intent to
8 intimidate, annoy, or alarm another person, the person,
9 without the consent of the other person, places a
10 global positioning device on the other person or an
11 object in order to track the movements of the other
12 person without a legitimate purpose.

13 2. A person who commits a violation of this section
14 commits a serious misdemeanor.

15 Sec. 10. Section 709.15, subsection 1, paragraph
16 f, Code 2015, is amended by striking the paragraph and
17 inserting in lieu thereof the following:

18 f. (1) "School employee" means any of the
19 following, except as provided in subparagraph (2):

20 (a) A person who holds a license, certificate,
21 authorization, or statement of professional recognition
22 issued by the board of educational examiners under
23 chapter 272.

24 (b) A person employed by a school district or
25 nonpublic school full-time or part-time.

26 (c) A contract employee of a school district or
27 nonpublic school who has significant contact with
28 students enrolled in the school district or nonpublic
29 school.

30 (d) A person who performs services as a volunteer
31 for a school district or nonpublic school and who has
32 significant contact with students enrolled in the
33 school district or nonpublic school.

34 (2) "School employee" does not include the
35 following:

36 (a) A student enrolled in a school district or
37 nonpublic school.

38 (b) A person who holds a coaching authorization
39 issued under section 272.31, subsection 1, if the
40 person is less than four years older than the student
41 with whom the person engages in conduct prohibited
42 under subsection 3, paragraph "a", and the person is
43 not in a position of direct authority over the student.

44 (c) A person who performs services as a volunteer
45 for a school district or nonpublic school and who has
46 significant contact with students enrolled in the
47 school district or nonpublic school, if the person
48 is less than four years older than the student with
49 whom the person engages in conduct prohibited under
50 subsection 3, paragraph "a", and the person is not in a

1 position of direct authority over the student.

2 Sec. 11. Section 709.15, subsection 3, Code 2015,
3 is amended by adding the following new paragraph:

4 NEW PARAGRAPH. c. The provisions of this
5 subsection do not apply to a person who is employed
6 by, volunteers for, or is under contract with a school
7 district or nonpublic school if the student is not
8 enrolled in the same school district or nonpublic
9 school that employs the person or for which the person
10 volunteers or is under contract, and the person does
11 not meet the requirements of subsection 1, paragraph
12 "f", subparagraph (1), subparagraph division (a).

13 Sec. 12. Section 709.21, subsection 1, paragraph a,
14 Code 2015, is amended to read as follows:

15 a. The other person ~~does not have knowledge about~~
16 ~~and~~ does not consent or is unable to consent to being
17 viewed, photographed, or filmed.

18 Sec. 13. Section 709.21, subsection 3, Code 2015,
19 is amended to read as follows:

20 3. A person who violates this section commits a
21 serious an aggravated misdemeanor.

22 Sec. 14. NEW SECTION. 710A.6 Outreach, public
23 awareness, and training programs.

24 The crime victim assistance division of the
25 department of justice, in cooperation with other
26 governmental agencies and nongovernmental or community
27 organizations, shall develop and conduct outreach,
28 public awareness, and training programs for the general
29 public, law enforcement agencies, first responders,
30 potential victims, and persons conducting or regularly
31 dealing with businesses or other ventures that have
32 a high statistical incidence of debt bondage or
33 forced labor or services. The programs shall train
34 participants to recognize and report incidents of human
35 trafficking and to suppress the demand that fosters
36 exploitation of persons and leads to human trafficking.

37 Sec. 15. Section 716.7, subsection 2, paragraph
38 a, Code 2015, is amended by adding the following new
39 subparagraph:

40 NEW SUBPARAGRAPH. (7) Intentionally viewing,
41 photographing, or filming another person through the
42 window or any other aperture of a dwelling, without
43 legitimate purpose, while present on the real property
44 upon which the dwelling is located, or while placing
45 on or retrieving from such property equipment to view,
46 photograph, or film another person, if the person
47 being viewed, photographed, or filmed has a reasonable
48 expectation of privacy, and if the person being viewed,
49 photographed, or filmed does not consent or cannot
50 consent to being viewed, photographed, or filmed.

1 Sec. 16. Section 716.8, subsection 1, Code 2015, is
2 amended to read as follows:

3 1. Any person who knowingly trespasses upon the
4 property of another commits a simple misdemeanor,
5 except that any person who intentionally trespasses as
6 defined in section 716.7, subsection 2, paragraph "a",
7 subparagraph (7), commits a serious misdemeanor.

8 Sec. 17. Section 802.2, subsection 1, Code 2015, is
9 amended to read as follows:

10 1. An information or indictment for sexual abuse
11 in the first, second, or third degree committed on or
12 with a person who is under the age of eighteen years
13 ~~shall be found within ten years after the person upon~~
14 ~~whom the offense is committed attains eighteen years of~~
15 ~~age, or if the person against whom the information or~~
16 ~~indictment is sought is identified through the use of~~
17 ~~a DNA profile, an information or indictment shall be~~
18 ~~found within three years from the date the person is~~
19 ~~identified by the person's DNA profile, whichever is~~
20 ~~later may be commenced at any time after the commission~~
21 ~~of the offense.~~

22 Sec. 18. Section 802.10, subsection 3, Code 2015,
23 is amended to read as follows:

24 3. However, notwithstanding subsection 2, an
25 indictment or information shall be found against a
26 person within three years from the date the person is
27 identified by the person's DNA profile. If the action
28 involves sexual abuse of a person eighteen years of
29 age or older or another sexual offense, the indictment
30 or information shall be found as provided in section
31 802.2, subsection 2, or 802.2B, if the person is
32 identified by the person's DNA profile.

33 Sec. 19. Section 915.94, Code 2015, is amended to
34 read as follows:

35 **915.94 Victim compensation fund.**

36 A victim compensation fund is established as
37 a separate fund in the state treasury. Moneys
38 deposited in the fund shall be administered by the
39 department and dedicated to and used for the purposes
40 of section 915.41 and this subchapter. In addition,
41 the department may use moneys from the fund for the
42 purpose of the department's prosecutor-based victim
43 service coordination, including the duties defined in
44 sections 910.3 and 910.6 and this chapter, and for the
45 award of funds to programs that provide services and
46 support to victims of domestic abuse or sexual assault
47 as provided in chapter 236, to victims under section
48 710A.2, and for the support of an automated victim
49 notification system established in section 915.10A. ~~The~~
50 For each fiscal year, the department may also use up

1 to ~~one~~ three hundred thousand dollars from the fund
2 to ~~provide~~ training for victim service providers, to
3 provide training for related professionals concerning
4 victim service programming, and to provide training
5 concerning homicide, domestic assault, sexual assault,
6 stalking, harassment, and human trafficking as required
7 by section 710A.6. Notwithstanding section 8.33, any
8 balance in the fund on June 30 of any fiscal year shall
9 not revert to the general fund of the state.

10 2. Title page, by striking lines 1 through 3 and
11 inserting <An Act relating to sexual abuse, invasion
12 of privacy, and sexual exploitation by a counselor,
13 therapist, and school employee, including the time
14 period certain actions may be brought, and providing
15 penalties.>

16 3. By renumbering as necessary.